

Attorney Docket No. 01386/LH

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant(s): N. SAKAI
Serial No. : 09/869,774
Filed : July 2, 2001
For : VIBRATION ACTUATOR HAVING AN
ELASTIC MEMBER BETWEEN A
SUSPENSION PLATE AND A
MAGNETIC CIRCUIT DEVICE TOKIN
CORPORATION
Art Unit : 2832
Examiner : BARBERA, RAMON M.

RESPONSE- 37 CFR 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
MAIL STOP NON-FEE AMENDMENT

S I R :

This is responsive to the Office Action mailed
August 12, 2003, the term for response to which expires on
September 12, 2003.

ELECTION

Applicant hereby elects Species I, Fig. 1, for further
prosecution on the merits, without traverse.

The claims readable on elected Species I (Fig. 1) are claims
1-21, 23, 24 and 27.

With respect to claim 21, it is noted that the vibration
transmitter 12 in Fig. 1 has an inner peripheral surface which
serves as a stopper as recited in claim 21. Thus, it is

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N. Sahadeo
Nalini P. Sahadeo

Dated: September 3, 2003

In the event that this Paper
is late filed, and the
necessary petition for
extension of time is not filed
concurrently herewith, please
consider this as a Petition
for the requisite extension of
time, and to the extent not
tendered by check attached
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respectfully submitted that claim 21 is also readable on Species I.

The Examiner considers that claims 1-7, 9-20, 23, 24 and 27 are generic.

If a generic claim is ultimately found to be allowable, it is requested that the Examiner consider claims directed to non-elected species so long as such claims depend from or otherwise include the subject of an allowable generic claim.

It is respectfully submitted that this paper is fully responsive to the outstanding Office Action. It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

September 3, 2003

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